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102.0010-01000  
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

In re application of:

Gary K. Michelson, M.D.

Serial No: 08/480,461

Filed: June 7, 1995

For: INSTRUMENTATION FOR THE  
SURGICAL CORRECTION OF HUMAN  
THORACIC AND LUMBAR SPINAL  
DISEASE FROM THE LATERAL  
ASPECT OF THE SPINE (as amended)

AUG 3 2001

TECHNOLOGY CENTER R3700

Group Art Unit: 3764

Examiner: M. Brown

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

**REPLY TO OFFICE ACTION UNDER 37 C.F.R. § 1.111**

In response to the to the Office Action dated January 26, 2001, Paper No. 15, the period for reply having been extended for three months by a request for extension and fee payment filed concurrently herewith, the following amendments and remarks are submitted:

07/31/2001 BSAYAS11 00000005 08480461

01 FC:103 1692.00 OP  
02 FC:117 890.00 OP

**IN THE CLAIMS:**

Please amend the claims (with the changes as shown in the attachment) as follows:

102. (Amended) An apparatus for use in spinal fusion surgery, said apparatus comprising:

C1